

52.228-13 -- Alternative Payment Protections.

As prescribed in [28.102-3](#)(b), insert the following clause:

Alternative Payment Protections (Jul 2000)

(a) The Contractor shall submit one of the following payment protections:

1. **A Payment Bond, or**
2. **Irrevocable Letter of Credit**

(b) The amount of the payment protection shall be 100 percent of the contract price.

(c) The submission of the payment protection is required within Ten (10) days of contract award.

(d) The payment protection shall provide protection for the full contract performance period plus a one-year period.

(e) Except for escrow agreements and payment bonds, which provide their own protection procedures, the Contracting Officer is authorized to access funds under the payment protection when it has been alleged in writing by a supplier of labor or material that a nonpayment has occurred, and to withhold such funds pending resolution by administrative or judicial proceedings or mutual agreement of the parties.

(f) When a tripartite escrow agreement is used, the Contractor shall utilize only suppliers of labor and material that signed the escrow agreement.

(End of Clause)